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12 Attorneys for Defendant
13 TWININGS NORTH AMERICA, INC.

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

NANCY LANOVAZ, on behalf of herself and all
others similarly situated,

Plaintiff,

v.

TWININGS NORTH AMERICA, INC.,

Defendant.

Case No. CV12-02646-RMW

CLASS ACTION

**STIPULATION AND
[] ORDER
MODIFYING BRIEFING
SCHEDULE**

Hearing Date: December 14, 2012
Judge: Hon. Ronald M. Whyte
Action Filed: May 23, 2012

1 Plaintiff Nancy Lanovaz, on behalf of herself and all others similarly situated, and
2 defendant Twinings North America, Inc. ("Twinings") through their undersigned counsel, hereby
3 stipulate as follows:

4 WHEREAS, this action was filed in this Court on May 23, 2012;

5 WHEREAS, Twinings was served with the summons and Plaintiff's complaint (the
6 "Complaint") on June 29, 2012;

7 WHEREAS, Twinings submitted its Motion to Dismiss the Complaint on August 31, 2012
8 and noticed the hearing for December 14, 2012;

9 WHEREAS, rather than responding to Twinings' Motion to Dismiss, Plaintiff filed an
10 Amended Class Action Complaint ("Amended Complaint") on September 20, 2012;

11 WHEREAS, pursuant to Rule 15 of the Federal Rules of Civil Procedure, Twinings'
12 response to the Amended Complaint would be due on October 4, 2012;

13 WHEREAS, because of the new length and nature of the Amended Complaint and
14 Twinings' desire for additional time to assess the new material, the parties have stipulated,
15 subject to Court approval, that Twinings' deadline to respond to the Amended Complaint will be
16 October 15, 2012;

17 WHEREAS, in order to permit themselves more time to brief the issues raised by
18 Twinings' Motion to Dismiss to be filed by October 15, 2012, the parties have agreed, subject to
19 Court approval, that Plaintiff's Opposition to the Motion to Dismiss will be due November 7,
20 2012, and Defendant's Reply to the Opposition will be due November 21, 2012.

21 WHEREAS, this briefing schedule will not affect the hearing date, scheduled for
22 December 14, 2012;

23 IT IS HEREBY STIPULATED, subject to the approval of the Court, that:

24 1. Defendant will respond to Plaintiff's Amended Complaint no later than October 15,
25 2012;

26 2. Plaintiff will file Opposition papers to the Motion to Dismiss no later than November
27 7, 2012;

28 3. Defendant will file Reply papers no later than November 21, 2012;

1 Dated: September 25, 2012

2 WILLIAM L. STERN
3 CLAUDIA M. VETESI
4 LISA A. WONGCHENKO
5 MORRISON & FOERSTER LLP

6 By: /s/ William L. Stern
7 WILLIAM L. STERN

8

9 Attorneys for Defendant TWININGS
10 NORTH AMERICA, INC.

11 Dated: September 25, 2012

12 Ben F. Pierce Gore
13 PRATT & ASSOCIATES
14 1901 S. Bascom Avenue, Suite 350
15 Campbell, CA 95008

16 By: /s/ Ben F. Pierce Gore
17 BEN F. PIERCE GORE

18 Attorney for Plaintiff

1 ECF ATTESTATION

2 I, William L. Stern, am the ECF User whose ID and password are being used to file the
3 following: **STIPULATION AND [PROPOSED] ORDER MODIFYING BRIEFING**
4 **SCHEDULE**. In compliance with Civil Local Rule 5-1(i), I hereby attest that Ben F. Pierce Gore
5 has concurred in this filing.

6
7 Dated: September 25, 2012

WILLIAM L. STERN
CLAUDIA M. VETESI
LISA A. WONGCHENKO
MORRISON & FOERSTER LLP

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9
10 By: /s/ William L. Stern
11 WILLIAM L. STERN

12
13
14 **[] ORDER**

15 PURSUANT TO STIPULATION, IT IS SO ORDERED.

16 DATED: SEPTEMBER 25, 2012

17 RONALD M. WHYTE
18 United States District Judge